

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

IN RE:	:	CHAPTER 13
CRAIG BRADLEY DEIMLER	:	
WILLIAM OLIVER FISHER-DEIMLER	:	CASE NO. 1:20-bk-00841
aka William Oliver Fisher Deimler; fka	:	
William Oliver Fisher,	:	
Debtors	:	
	:	
CRAIG BRADLEY DEIMLER	:	
WILLIAM OLIVER FISHER-DEIMLER	:	
aka William Oliver Fisher Deimler; fka	:	OBJECTION TO CLAIM # 24
William Oliver Fisher,	:	
Movants	:	
v.	:	
JAMES DOAN AND MARILYN DOAN,	:	
Respondent/Claimant	:	

OBJECTION TO PROOF OF CLAIM #24

COME NOW the Debtors, by and through attorney Dorothy L. Mott, Esquire and make this Objection to Creditor's claim filed in the above-captioned bankruptcy proceeding, stating in support there of as follows:

1. The Debtors filed a Chapter 13 bankruptcy proceeding on 3/4/2020.
2. The Respondent, JAMES DOAN AND MARILYN DOAN, filed an unsecured claim on or about April 29, 2020, in the amount of \$25,000, claiming \$3,025.00 of that amount as priority under 11 U.S.C. § 507(a)(7).
3. Federal Rule of Bankruptcy Procedure 3001(c) requires that 'when a claim, or an interest in property of the debtor securing the claim, is based on a writing, the original or a duplicate shall be filed with the proof of claim. If the writing has been lost or damaged, a statement of the circumstances of the loss or destruction shall be filed with the claim.'
4. The creditor's claim is based on a writing and no documents were attached to the proof of claim.

5. Rule 3001(c)(2)(A) requires an itemized statement showing all applicable interest, fees, expenses, and/or charges be filed with the proof of claim.

6. The proof of claim did not attach documentation for the claim except for the contract with GCD Construction, Inc. The documents attached to this objection to proof of claim demonstrate that the obligation is owed by GCD Construction, Inc., dba Deimler Family Construction.

7. The contract is written on letterhead of the corporation and includes the provision that the Respondents accept the contract with GCD Construction, Inc.

8. The Debtors have not personally guaranteed the obligation.

9. The names Craig Bradley Deimler and William Oliver Fisher-Deimler are not identified anywhere in the documentation. The Debtors are not personally liable for the corporate debt.

10. The claimants have failed to demonstrate that their claim is a priority claim under 11 U.S.C. §507(a)(7).

11. The claim should be disallowed because it is not a debt owed by the Debtors and because it is not a priority claim.

WHEREFORE, the Debtors hereby request that this Honorable Court enter an order

1. Disallowing and dismissing the claim; and
2. Precluding the Claimants from presenting the omitted information as evidence in any contested matter or adversary proceeding pursuant to Rule 3001(c)(2)(D)(i); and
3. Granting such other relief as this Court deems just.

Respectfully submitted,

/s/ Dorothy L. Mott

Dorothy L. Mott, Esquire
125 State Street
Harrisburg, PA 17101
717.232.6650 Tel
717.232.0477 Fax
doriemott@aol.com

**LOCAL BANKRUPTCY FORM 3007-1
IN THE UNITED STATES BANKRUPTCY COURT
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	:	OBJECTION TO CLAIM # 24
CRAIG BRADLEY DEIMLER	:	
WILLIAM OLIVER FISHER-DEIMLER	:	
aka William Oliver Fisher Deimler; fka	:	
William Oliver Fisher,	:	
Objectors	:	
	:	
JAMES DOAN AND MARILYN DOAN,	:	
Respondent/Claimant	:	

TO: JAMES DOAN AND MARILYN DOAN ("Claimant")

**NOTICE OF OBJECTION TO CLAIM AND DEADLINE TO REQUEST HEARING
DATE**

Craig Bradley Deimler has filed an objection to the proof of claim you filed in this bankruptcy case.

NOTICE: Your claim may be reduced, modified, or eliminated. You should read this notice and the objection carefully and discuss them with your attorney, if you have one.

If you do not want to the court to enter an order affecting your claim, then on or before March 4, 2021, (30 days from the date of service), you or your lawyer must file a request for hearing or a written response to the objection explaining your position.

Those not permitted to file electronically must deliver any request for hearing or response by U.S. mail, courier, overnight/express mail, or in person at: (select the appropriate address)

Ronald Reagan Federal Building
228 Walnut Street Rm 320
Harrisburg, PA 17101

If you mail your request for hearing or response to the court, you must mail it early enough so the court will receive on or before the date stated above.

You must also send a copy of your request for hearing or response to:
Dorothy L. Mott, Esquire
Mott & Gendron Law
125 State Street
Harrisburg, PA 17101
717. 232.6650 Tel
717.232.0476 Fax
doriemott@aol.com

If you or your attorney do not take these steps, the court may decide that you do not oppose an order affecting your claim. Attorney for Objector

/s/ Dorothy L. Mott
Dorothy L. Mott Law Office, LLC
PA ID: 43568
125 State Street, Harrisburg PA 17101
717. 232.6650 Tel
717.232.0476 Fax
doriemott@aol.com

Date of Notice: February 2, 2021

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WILLIAM OLIVER FISHER-DEIMLER : **CASE NO. 1:20-bk-00841**
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Debtors :
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CRAIG BRADLEY DEIMLER :
WILLIAM OLIVER FISHER-DEIMLER :
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William Oliver Fisher, :
Movants :

v.
JAMES DOAN AND MARILYN DOAN,
Respondent/Claimant

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that on February 2, 2021, I served a copy of the foregoing document(s) electronically or by placing the same in the United States Mail, First Class, postage pre-paid, addressed as follows on the following parties:

Name and Address	Mode of Service
CHARLES J DEHART, III ESQUIRE 8125 ADAMS DRIVE SUITE A HUMMELSTOWN PA 17036 dehartstaff@pamd13trustee.com	Electronically
JAMES DOAN AND MARILYN DOAN 6451 OAKVIEW DRIVE HARRISBURG, PA 17112 CRAIG A DIEHL ESQUIRE 3464 TRINDLE ROAD CAMP HILL, PA 17011	First Class Mail, Postage Prepaid

I certify under penalty of perjury that the foregoing is true and correct.

Date: 02/02/2021

/s/Dorothy L Mott

Dorothy L Mott, Esquire
Atty ID #43568
Dorothy L. Mott Law Office, LLC
125 State Street

Harrisburg, PA 17101
(717) 232-6650 TEL
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v.	:	
JAMES DOAN AND MARILYN DOAN,	:	
Respondent/Claimant	:	

ORDER

UPON CONSIDERATION of the Objection to Proof of Claim filed by the Debtors, it is hereby

ORDERED that the claim of the Respondent is disallowed and dismissed; it is further

ORDERED that the Claimant is precluded from presenting the omitted information as evidence in any contested matter or adversary proceeding pursuant to Rule 3001(c)(2)(D)(i)